

I have pledged to the distinguished majority leader that we are going to do all we can to complete our work in that timeframe. That will take cooperation and it will take efficient use of the next 2 weeks. I think it is doable. I am very hopeful that by working together we can recognize this is one of the most important opportunities not only for our investment in infrastructure, but for the creation of good jobs and what it can mean in the longer term for the economy. This is a good moment for all people involved. I just hope we seize the moment and do all we can to successfully complete our work.

CONGRATULATING SOUTH DAKOTA NATIVE ADAM VINATIERI OF THE NEW ENGLAND PATRIOTS

Mr. DASCHLE. Mr. President, I congratulate a South Dakota native, Adam Vinatieri, on yet another Super Bowl-winning field goal.

These are the kinds of heroics South Dakotans and New England Patriot fans have come to expect from Adam. Growing up in Rapid City, Adam lettered in football, soccer, track, and wrestling for the Central High School Cobblers. He was a 4-year letterman as a place-kicker at my alma mater, the South Dakota State University Jackrabbits. He actually set the school record for points scored.

In the last 30 years, only twice has the Super Bowl been won by a last-second field goal. On both of these occasions, the kicker was Adam Vinatieri.

Once again—and certainly not for the last time—he has brought pride to his State and joy to Patriot fans everywhere. I congratulate him.

I thank the Presiding Officer, and I yield the floor.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with the time until 3 p.m. equally divided between the two leaders or their designees, with the Senator from Florida, Mr. GRAHAM, controlling the time allocated to the minority. The Senator from Nevada.

Mr. REID. Mr. President, we want to make sure Senator GRAHAM has all the time he needs for the remarks he wishes to make. He is going to be finished around 2 o'clock, and then time will be controlled by either Senator DASCHLE or his designee. You said all time would be controlled by the Senator from Florida.

The ACTING PRESIDENT pro tempore. That is correct, and the remainder of the time will revert to the leader.

Mr. REID. I ask unanimous consent that be the case.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Chair recognizes the Senator from Florida.

THE NEED FOR INTELLIGENCE REFORM

Mr. GRAHAM of Florida. Mr. President, as Chairman of the Senate Select Committee on Intelligence during most of the 107th Congress, I worked with colleagues from the House and Senate to accept the responsibility of reviewing the horrific events that struck our Nation's symbols of commerce and security on September 11, 2001, claiming the lives of nearly 3,000 Americans. From New York City and the Pentagon to a field in rural Pennsylvania, 9-11 demonstrated the vulnerabilities of our free society.

But in my view, and after the careful review of the Intelligence Committees, the most tragic aspect of this day never to be forgotten is that it could have been prevented. Had our intelligence agencies been better organized and more focused on the problem of international terrorism—particularly Osama bin Laden—September 11th would have been prevented.

I also have concluded that, had the President and the Congress initiated the reforms that our joint inquiry recommended, we might well have avoided the embarrassment of the flawed intelligence on weapons of mass destruction—or the misleading use of that intelligence—which formed the basis of our war against Iraq.

Surely, the people of America would be safer today had these reforms been undertaken.

So today, and in remarks in the next 2 days, I would like to review with my colleagues the conclusions of the House-Senate joint inquiry.

We have learned that intelligence failures played a central role in the events of 9-11. Let me illustrate some of those failures:

The Central Intelligence Agency, CIA, was tracking two of the hijackers and knew that they had been to a summit meeting of terrorists in Malaysia in early January of 2000. However, the CIA failed to inform the Federal Bureau of Investigation, FBI, the Federal Aviation Administration, FAA, the Immigration and Naturalization Service, INS, or Customs officials that these individuals were on their way to the United States. The result is that when they arrived on a commercial airliner in the United States in order to execute their dastardly plan, they were welcomed into our country by unwitting entry agents.

These same two hijackers were living with an FBI asset, but the informant failed to ask basic questions. Others in the FBI recognized the danger of Islamic extremists using airplanes as weapons of mass destruction, but their warnings were ignored by superiors. Still others failed to understand the legal avenues available to them that may have allowed available investigative techniques to be used to avert the 9-11 plot.

Current national security strategy demands more accurate intelligence than ever before:

Terrorists must be found before their strikes. This will require intelligence agents capable of penetrating their cells to provide intelligence early enough to frustrate the terrorists' intentions;

If preventive or pre-emptive military actions are to be a central part of our national security strategy, to maintain its credibility of those actions with the American people and the world, will require the support of the most credible intelligence;

If we are to frustrate the proliferation of weapons of mass destruction, America must provide an intelligence capability for all of those regions of the world which are suspect.

Now, as never before, intelligence matters.

In responding to the events of 9-11, Congress created a joint committee consisting of the House and Senate Intelligence Committees. A bipartisan, bicameral panel of this type had never before been formed in the 213 years of the U.S. Congress. Our effort reflected the unique circumstances and the national unity we all felt in the immediate aftermath of 9-11.

One of the principal reasons for conducting the inquiry in this way was to give our recommendations the maximum credibility, above the usual cries of partisanship that frequently taint the work of congressional committees. The importance of our task cannot be understated. We sought to identify the problems in the intelligence community that allowed the 9-11 attacks to go undetected and propose solutions to those problems.

In the end, we were successful in identifying the problems because we all understood how much was at stake and that our enemy would not rest while we attempted to fix our problems. We were less successful in securing consideration of the solutions from the intelligence agencies, the White House, and the Congress.

The fact that we conducted this bipartisan, bicameral inquiry and submitted recommendations creates a new heightened level of congressional responsibility. If the terrorists are successful in another attack in the United States, the American people will demand to know what the institutions of government learned from 9-11, and how the intelligence agencies, the White House, and the Congress used that knowledge to harden the United States against future terrorist attacks. Congress was largely able to avoid accountability for 9-11. Mark my words: There will be no avoidance of responsibility for the next attack.

There will be no avoiding responsibility for the President. September 11, 2001, was a wake up call—it told us we had severe deficiencies in our intelligence community. If 9-11 was a wake up call, the failure to find weapons of mass destruction in Iraq was a report card on how far we have come since 9-11 in correcting the problems in our intelligence community. The grade we received on that report card is F. The President and Congress have failed to initiate the reforms recommended by a series of review panels and our bipartisan, bicameral joint committee of inquiry.

This failure of the President and the Congress has contributed to yet another intelligence failure.

What troubles me more than the President's unwillingness to make the necessary changes is his unwillingness to even admit that our Nation has a problem. Just last week, the President responded to questions about the inaccuracies of his statements about Iraq's WMD capability by saying he has "great confidence in our intelligence community." How can he have great confidence in our intelligence community after it has been proven confused before September 11 and completely wrong on the threat posed by Iraq?

The expected appointment by the President of a commission to review the intelligence on which the war in Iraq was predicated is not an excuse to delay reform of America's intelligence community. Rather, I am concerned that it appears as though the goal is simply to avoid political accountability and embarrassment. America continues to be in a state of denial. A White House aide was quoted over the weekend as saying, "We cannot afford another one of those"—referring to the public outcry after the misstatement of intelligence in the 2003 State of the Union speech.

It has now been more than a year since the joint inquiry made its recommendations. This is a good time to review the progress made in implementing those recommendations and to identify critical areas of reform that have not yet been addressed. Unfortunately, this is not going to be a report card that we would like to show to our parents—or to our voters. There has been little accomplished with regard to most of the recommendations.

The joint inquiry report made nineteen recommendations for reform. Today I would like to discuss those recommendations that fall into the category of specific actions to combat terrorism.

In speeches on Tuesday and Wednesday, I will deal with those that involve intelligence community reform and those that deal with the FBI and the Foreign Intelligence Surveillance Act process.

Of the nineteen recommendations, there are six that contain specific actions to combat terrorism. Recommendation No. 2 directs "the National Security Council to expedite their efforts to examine and revamp existing intelligence priorities." It further directs the President to "take action to ensure that clear, consistent, and current priorities are established and enforced throughout the Intelligence Community. Once established, these priorities should be reviewed and updated on at least an annual basis to ensure that the allocation of Intelligence Community resources reflects and effectively addresses the continually evolving threat environment. Finally, the establishment of Intelligence Community priorities, and the justification for such priorities, should be

reported to the House and Senate Intelligence Committees on an annual basis."

It was very clear from the work of the joint inquiry that the intelligence community had not adapted or changed its intelligence priorities to reflect the changing nature of the world. While some modifications had been made since the end of the Cold War, our intelligence priorities remained states like Russia, China, Iran and Iraq. In spite of the fact that George Tenet, the Director of Central Intelligence, had declared war on al-Qaida in 1998, al-Qaida was not at or even near the top of the intelligence priority list on September 11, 2001. Only on September 12, 2001, did al-Qaida become priority number one.

It was also clear from our investigation that there was no formal process for regularly updating and reviewing intelligence priorities to ensure that they reflected changes in the security environment. Bureaucratic inertia worked to keep old priorities on the list long after they should have dropped down in favor of emerging threats. While George Tenet may have recognized that non-state actors like al-Qaida needed more attention, this was not widely known or accepted throughout the Intelligence Community that he heads. When asked if he was aware that George Tenet had declared war on al-Qaida in 1998, a former director of the National Security Agency, NSA, our Nation's electronic eavesdropping agency, responded that yes, he was aware that George Tenet had said that, but he did not think it applied to him or his organization.

A formal process that was clearly understood throughout our government would have prevented some of the problems we identified. One example involves the Predator unmanned aerial vehicle, a pilotless drone capable of long-duration flight and armed with high resolution cameras and an ability to fire missiles at targets on the ground. The Predator has proven to be one of the most effective intelligence collection assets we have in the war on terror. Unfortunately, it took far too long to build the Predator because of internal disputes in the administration. This type of aircraft was not a priority for the Air Force and its production was therefore delayed several months. The lack of established and accepted intelligence priorities was a major cause of the delay in fielding the Predator.

This issue of setting new priorities was also raised by the National Commission on National Security in the 21st Century, also known as the Hart-Rudman Commission. This Commission, which issued its final report in February of 2001, included a recommendation that "the President order the setting of national intelligence priorities through National Security Council guidance to the Director of Central Intelligence."

Unfortunately, at the time the Joint Inquiry issued its report almost 2 full

years after the Hart-Rudman Commission had made its recommendation sufficient progress had not been made in setting national intelligence priorities. Therefore, we included a recommendation on this point. Our investigation determined that the failure to have clear, consistent and current intelligence priorities that were understood by the entire intelligence community was a significant contributing factor to the failure of intelligence on 9-11.

Since the joint inquiry issued its report, some progress has been made in establishing a systematic process for establishing intelligence priorities. However, it is not clear that these priorities are being communicated to the domestic intelligence agencies responsible for our security here at home.

Recommendation No. 3 focuses its directive on the counter terrorism components of the intelligence, military, law enforcement, and homeland security agencies, which will be key in counter terrorism. This recommendation directs the National Security Council to "prepare, for the President's approval, a U.S. government-wide strategy for combating terrorism, both at home and abroad, including the growing terrorism threat posed by proliferation of weapons of mass destruction and associated technologies."

There should be an intelligence component of this strategy that identifies domestic and foreign based threat levels, programs, plans and budgets to address the threat posed by Osama bin Laden and al-Qaida, Hezbollah, Hamas, and other international terrorist groups. The strategy should include specific efforts to improve human intelligence, better utilize technology to analyze and share data, enhance domestic intelligence, maximize the effective use of covert action, which is action taken by the United States Government where the role of the United States is hidden, develop programs to deal with terrorist financing, and facilitate the ability of CIA and military special operations forces to conduct joint operations against terrorist targets.

The joint inquiry found that there was no commonly agreed-upon approach among the federal agencies for dealing with terrorism. Each agency or department seemed to have its own ideas about fighting terrorism, and they were all independent actors. Success in the war on terror will require a coherent, coordinated effort that can only be accomplished by having everyone work toward a common goal outlined in a national strategy. Prior to 9-11, the CIA was trying, albeit unsuccessfully, to penetrate foreign terrorist organizations and disrupt their operations. Unfortunately at the FBI, fighting the war on terror meant calculating the threat by counting the number of known terrorists, not how many were estimated to have been placed in American communities. The FBI was waiting for acts of terror to occur and then trying to arrest and convict the guilty party.

The need for a national strategy to combat terrorism has been the subject of several other commission reports. The Gilmore Commission, also known as the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, in its second report in December of 2000, recommended that "the next President should develop and present to the Congress a national strategy for combating terrorism within one year of assuming office."

The broad recommendation to develop a national strategy, as well as what should be included as specific components of that strategy, is broadly supported by virtually everyone who has analyzed our intelligence capabilities.

In addition to the recommendation of the Gilmore Commission calling for a national strategy to combat terrorism, other commissions have made recommendations that are consistent with the full joint inquiry recommendation on developing a national strategy. For instance, the Hart-Rudman Commission, the Gilmore Commission, and the Bremer Commission, also known as the National Commission on Terrorism, in its report of June 2000, all made recommendations calling for improving and intensifying our human intelligence efforts with respect to terrorism.

We should remember that until the hijackers stood up on those four airplanes and took control, it was as if their plot had been undetected. It was as if their conspiracy represented no violations of American laws or regulations. Good intelligence is our principle line of defense against these types of terrorist plots. Only by penetrating these organizations and by bringing together all available raw intelligence into cohesive analytical products will we ever be able to feel confident that we can avoid future tragedies. That is the only way we will get the timely, accurate intelligence that is required to disrupt sophisticated modern terrorist organizations like al-Qaida. Improving our human intelligence capability must be Job Number One in responding to global terrorists.

Penetrating these organizations will require a new, more aggressive human intelligence capability. Osama and his cohorts are unlikely to turn up at an embassy cocktail party. We must be capable of getting human sources close to the leaders of these organizations. John Walker Lindh was a misguided California college student who became a member of al-Qaida and even met Osama bin Laden. Unfortunately, John Walker Lindh did not work for the CIA.

The Bremer Commission includes a recommendation to increase funding for technology development to exploit terrorist communications, and devotes an entire section to improving efforts to attack terrorist financing. The Gilmore Commission recommends improving technological applications to enhance analysis and dissemination, as

well as improving domestic intelligence collection.

In response to the good work done by the Gilmore Commission and the recommendation of our Joint Inquiry, a national strategy to combat terrorism was issued by the Bush Administration in February of 2003. It is difficult to understand how a President who claims that defeating terrorism is the principle mission of his presidency took 17 months to produce a strategy to accomplish that mission. And even the strategy that was produced is inadequate when it comes to defining the intelligence components of that strategy. Instead, it calls on the intelligence community to review its capabilities and make recommendations for improvement. Why would it take 17 months to task the intelligence community to do such an assessment?

The strategy that was produced after this long delay does not meet the requirements published in the recommendation of the joint inquiry. The Bush administration's strategy is not so much a strategy as a list of objectives. What is lacking is clear guidance on how we can achieve these objectives. What is also lacking is a level of specificity that will allow all agencies in our government to work towards this common set of priorities and goals through the common strategy.

Recommendation No. 4 calls for the establishment of a National Intelligence Officer for Terrorism on the National Intelligence Council. The National Intelligence Council works directly for the Director of Central Intelligence and is responsible for providing coordinated analysis of foreign policy issues for the President and other senior policymakers. To date, no such position has been established. The lack of a central coordinator for terrorism analysis has been a continuing shortcoming in the Intelligence Community. While there are some outstanding individuals doing analysis on terrorism in several of the intelligence community's component organizations, there is no single focal point for policymakers to direct analytical requests on terrorism.

A more recent example of the need for an NIO for Terrorism is the debate over Iraq's connection to al-Qaida. While the CIA consistently reported that they had uncovered no reliable evidence of any links between Saddam Hussein and al-Qaida, others in the government—particularly at the Defense Department and the White House—made repeated statements about a solid link. Implementing this recommendation would give us a point of ultimate accountability.

The joint inquiry found that there was some confusion as to who to go to with intelligence queries on terrorism, and there was no arbiter within the community to help reconcile various approaches or conflicting analyses of terrorism. We found too much miscommunication and an inability to identify who was responsible with re-

gard to terrorism analysis. There was no individual who could coordinate a National Intelligence Estimate on terrorism, something that may have helped bring the seriousness of the threat posed by al-Qaida to members of the intelligence community outside of CIA. A National Intelligence Estimate is the highest level of intelligence analysis produced by the intelligence community and represents the best estimate of the entire intelligence community.

Without the establishment of this position, there is also a lack of outreach to academia and the private sector on terrorism issues, something that is needed in this critical fight. We have national intelligence officers for each geographic region as well as several crosscutting issues, such as conventional military issues, strategic and nuclear programs, and economics and global issues. It is a sign of the continuing lack of organizational restructuring to deal with the terrorist threat that we still have no national intelligence officer for terrorism, yet we have one for economics. This should not be very hard to do, yet one full year after issuing our recommendations it has not been done.

Recommendation No. 18 of the joint inquiry report calls on Congress and the administration to ensure the full development within the Department of Homeland Security of an effective all-source terrorism information fusion center. This center should have full access to all terrorism related intelligence and data, participate in the intelligence requirements process, and "integrate intelligence information to identify and assess the nature and scope of terrorist threats to the United States in light of actual and potential vulnerabilities."

One example of an intelligence fusion center that functions effectively is the Joint Interagency Task Force South in Key West, Florida. This organization fuses intelligence information from a wide variety of sources in a single facility which is jointly manned by military, law enforcement, intelligence and foreign government officials. What makes this organization particularly effective is that it is able to directly control operational activity to respond immediately to the intelligence it gathers. If it identifies a ship traveling toward the United States that it believes is carrying illegal narcotics, it can direct a Coast Guard vessel to intercept and search that ship.

The failure to bring together all the available intelligence on terrorism and to analyze it in a way that is most useful in preventing attacks was most evident in our inquiry. The FBI had smart agents working in field offices throughout the country who identified troubling trends, such as an unusual interest in flight training among some foreign visitors. Unfortunately, the FBI was not organized in a way that allowed all intelligence on terrorism to go to a central location so that it could

be analyzed as a whole. That problem was compounded by the fact that there was little to no information sharing between the FBI, responsible for counterterrorism within the United States, and the CIA, responsible for foreign intelligence collection outside the United States of America. Too much fell through the cracks.

This recommendation was directly supported by the legislation, passed by Congress and signed by the President, that established the Department of Homeland Security. That legislation authorized an intelligence component in the new Department to do exactly as was recommended by the joint inquiry, including the requirement that this new intelligence component have full access to available intelligence information. Senators SHELBY, LIEBERMAN, and Thompson deserve particular credit for their efforts to ensure that the new Department of Homeland Security have a robust intelligence organization. The intelligence component of the Department of Homeland Security was envisioned to be the one place where our domestic vulnerabilities are evaluated and mapped against all threats to the homeland. The idea was that the threats could come from a variety of sources, not just terrorists, and one agency needed to be responsible for having the entire picture on its radar screen.

Unfortunately, the administration has chosen to gut the intelligence function at the Department of Homeland Security. The position of director of intelligence for the new department has been vacant for much of the time the department has been in existence. This is indicative of the lack of attention and significance it is given. The staff is totally inadequate for the mission outlined in the legislation that established the department.

Instead, the administration has chosen to create a new organization at the CIA called the Terrorist Threat Integration Center, TTIC. While this new organization may address some of the problems that we have identified, it does not meet the requirements set out in the legislative authorization, nor does it meet the criteria set out in the Joint Inquiry recommendation.

Finally, I would like to address Recommendation No. 19 of the joint inquiry report. This recommendation calls on "the intelligence community, and particularly the FBI and CIA, to aggressively address the possibility that foreign governments are providing support to or are involved in terrorist activity targeting the United States and U.S. interests. The FBI and CIA should aggressively and thoroughly pursue related matters developed through this Joint Inquiry that have been referred to them for further investigation."

Mr. President, this may be the most important—and at the same time, the most troubling recommendation. Significant evidence of foreign government involvement in the 9-11 attacks was uncovered by the joint inquiry.

It is incomprehensible why this administration has refused to aggressively pursue the leads that our inquiry developed. One example of the failure to pursue leads that point to foreign government involvement is the refusal of the FBI to aggressively follow the money trail that flowed from officials of a foreign government to at least some of the terrorists. In spite of being provided evidence by our committee, the FBI and the administration refused to use all the law enforcement tools at their disposal to follow the money trail. Why would the administration not use all of its available powers to track this money? In addition, the question of whether other terrorists were getting similar support was not pursued. Therefore the extent of the involvement of the foreign government has never been fully investigated. Recent press reports indicate that there is even more suspicious activity than was known at the time we issued our report.

Another example of the failure to aggressively pursue the sources of foreign support of terrorism is reported on Page A14 of today's Washington Post. A panel which was established by the United Nations to pursue sources of support of al-Qaida has been disbanded. Our government joined with Russia and Chile to sponsor a resolution at the United Nations that disbanded the panel investigating al-Qaida's financing.

We are talking about the possible involvement of foreign governments in the 9-11 attacks. If a government was involved in those attacks, we should leave no stone unturned to identify the extent of that involvement and hold those responsible accountable. There should be no sanctuary from justice for those involved with terrorists, no matter who might be embarrassed by such revelations.

I wish I could be more specific in discussing the involvement of foreign governments in the 9-11 plot. Unfortunately, the administration will not allow me to do so. After 7 months of effort to de-classify the report that we filed on December 20, 2002, the CIA, the FBI and other agencies decided to keep significant portions secret. In particular, there are 27 pages that were virtually completely censored. These are pages 396 through 422 from Part Four of the report, which is entitled, "Finding, Discussion and Narrative Regarding Certain Sensitive National Security Matters."

This censorship is troubling for a number of reasons. First, it reduces the information available to the public about some of the most important government actions—or to be more accurate, inactions—prior to September 11. Second, it precludes the American people from asking their government legitimate questions, such as:

Was there a reason that some, but not all, of the terrorists were receiving foreign support while they were in the United States?

Or is it not more likely that they were all receiving similar support?

What evidence do we have that the infrastructure of support that existed prior to 9-11 has been dismantled?

Or is it not more likely that such an infrastructure is still in place for the next generation of terrorists?

How many trained operatives of al-Qaida, Hezbollah, and other international terrorist organizations are there inside the United States of America?

What are the skills and capabilities of these operatives?

What was the scale and skills of Iraqi operatives inside the United States prior to the war in Iraq and at the current date?

What was the comparative threat to the people of the United States of Iraq and the trained agents of international terrorists placed inside our country?

Has the number, skill set, funding or ability to avoid disclosure of international terrorist operatives within the United States of America been enhanced by support from foreign governments?

How professional and aggressive have been the efforts of agencies such as the FBI and the CIA in answering those questions?

And, how was the information that our government might have had prior to September 11th utilized after September 11th to enhance the security of our homeland and American interests abroad?

Unfortunately, almost 2½ years after the tragedy, the administration and the Congress—in the main—have not initiated the reforms necessary to reduce the chances of another 9-11. Given the seriousness of that situation, some of what was withheld from this report bordered on the absurd. For examples of the absurdity, some of the information censored from these pages actually appears in other parts of the report. Let me cite three examples.

First, much of the censored information about Omar al-Bayoumi is available on pages 173-175. Mr. Bayoumi was an employee of the Saudi Civil Aviation Authority and a suspected Saudi intelligence agent based in California. He had extensive contacts with two of the Saudi hijackers, Khalid al-Mihdhar and Nawaf al-Hazmi. The same day that Bayoumi picked up the hijackers at a restaurant in Los Angeles, he had attended a prior meeting at the Saudi consulate in Los Angeles. Bayoumi co-signed a lease for the two hijackers, paid their first month's rent, hosted a welcome party for them, helped them get driver's licenses and flight school applications. He also introduced them to others who served as their translator and in other support roles.

Second, much of the censored information about Osama Bassnan, another Saudi national who was a neighbor of the two hijackers in San Diego, which appears on pages 175 through 177.

Third, much of the information about a San Diego business manager which was censored also appears on pages 179 and 180.

I would note that the declassified sections of the report point out that, despite public assurances from U.S. officials that Saudi Arabia has cooperated in counter terrorism efforts, the Joint Inquiry received testimony that Saudi officials in fact "had been uncooperative and often did not act on information implicating Saudi nationals."

What this indicates is that in the months following the release of our recommendation that the administration "aggressively" address the foreign government involvement in 9-11, the Bush administration not only failed to pursue and investigate foreign government involvement, the administration misused the classification process to protect the foreign governments that may have been involved in 9-11. There is no reason for the Bush administration to continue to shield make-believe allies who are supporting, either directly or indirectly, terrorists who want to kill Americans.

The recommendations we have made here are consistent with recommendations made by other bodies that have been formed to analyze our intelligence structure over the last decade. The political reality is that there is a broad agreement that these reforms need to be made, yet there is institutional resistance that has been too great to overcome.

Congress has assumed responsibility for reform of the intelligence community. Now is the time to act so that we might receive the appreciation of the American people for reducing the likelihood of another tragedy like 9-11. The consequence of inaction will be legitimate, strong and unavoidable criticism should we be struck again.

If 9-11 was not a big enough shock wave to overcome the resistance to change, what will it take?

I ask unanimous consent that The Washington Post article "U.N. Dissolves Panel Monitoring Al Qaeda" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.N. DISSOLVES PANEL MONITORING AL QAEDA
GROUP HAD CRITICIZED SECURITY COUNCIL
(By Colum Lynch)

UNITED NATIONS.—The U.N. Security Council quietly dissolved a high-profile independent U.N. panel last month that was established more than 2½ years ago to prevent the al Qaeda terrorist network from financing its war against the United States and its allies, U.S. and U.N. officials said.

The move comes six weeks after the panel, headed by Michael Chandler of Britain, concluded in a stinging report that a number of Security Council sanctions against al Qaeda had failed to constrain the terrorist network.

But Security Council members have denied the move was retribution for the panel's conclusions, saying that the quality of the group's work was uneven and that the group had outlived its usefulness.

The 15-nation council on Friday adopted a new resolution sponsored by the United States, Russia and Chile that would replace Chandler's panel with what they say will be a more professional body. The new panel is expected to keep monitoring the global war against terrorism but would be subject to closer Security Council coordination and oversight.

The dispute underscores the challenge of managing an international counterterrorism operation through an organization whose 191 members are frequently criticized for failing to cooperate. It also reflects growing frustration among members that sanctions have

done little to interrupt the flow of money and arms to al Qaeda.

Chandler criticized the decision, saying it would undercut the United Nations' capacity to combat al Qaeda. He suggested that his panel's demise was a result of pressure from influential U.N. members who had been singled out in his reports for failing to take adequate measures to combat al Qaeda.

"A number of people were uncomfortable with our last report," Chandler said. He said that the Security Council was sending the wrong message and that one of the "key elements" of a successful counterterrorism strategy is "a strong independent monitoring group."

Chandler's five-member panel—the monitoring group on al Qaeda—was established in July 2001 to ensure compliance with an arms embargo against the Taliban and a freeze on its financial assets for harboring Osama bin Laden. The mission's mandate was expanded after the Taliban fell in January 2002, granting it broad powers to monitor international compliance with a U.N. financial, travel and arms ban.

Chandler's reports have provided periodic snapshots of the international campaign against terrorism, often highlighting failings in governments' responses to the al Qaeda threat. In August 2002, after a lull in al Qaeda activities, Chandler provided a prescient forecast of the network's resurgence. "Al Qaeda is by all accounts 'fit and well' and poised to strike," the report warned. It was followed by deadly strikes in Bali, Indonesia; Casablanca, Morocco; and Saudi Arabia.

"The group functioned very well, providing hard-hitting reports to the Security Council which painted a picture of what was really going on," said Victor Comras, a former State Department official who helped write the Dec. 2 report.

"I am at a loss to understand why the United States is one of the main players in redrafting the new resolution and allowing the monitoring group to lapse," he added. "The United States was the greatest beneficiary of the monitoring group because it gave them a lever to name and shame" countries that failed to combat terrorists.

One U.S. official said that last thing the United States wants is to "muzzle" the United Nations. But he said that although Chandler's panel was effective "at getting headlines," his propensity for antagonizing member states could ultimately undermine U.S. efforts to harness the United Nations' support in its anti-terror campaign. Chandler's group "did a good job," said James B. Cunningham, the deputy U.S. ambassador to the United Nations. "But we are trying to make the committee more effective."

Some U.S. and U.N. diplomats said Chandler needlessly alienated potential allies and constituents at the United Nations, including some in the United States. Chandler's 2002 report irked Bush administration officials by casting doubt on the success of the U.S.-led effort to block al Qaeda financing. The Bush administration also challenged the veracity of Chandler's assertion in an earlier report that the Treasury Department had ignored warnings from SunTrust Banks that a key plotter in the Sept. 11, 2001, terrorist attacks had previously transferred large sums of money to an account at a Florida bank branch.

Chandler infuriated officials from Liechtenstein, Italy and Switzerland with the Dec. 2 report that illustrated how two U.N.-designated terrorist financiers, Youssef Nada and Ahmed Idris Nasreddin, lived, traveled and operated multimillion-dollar businesses in their countries in violation of U.N. sanctions.

Liechtenstein's U.N. ambassador, Christian Wenaweser, one of Chandler's sharpest crit-

ics, complained that the Chandler investigation was shoddy and that he failed to adequately acknowledge his government's role in helping build the case against two alleged terrorist financiers. "We don't question the usefulness of the monitoring group. Quite the contrary. But they have to have a clear mandate and guidelines on how they should and shouldn't do their work," Wenaweser said. "They didn't bother to verify basic facts; they got some things wrong. Travel dates. Spelling of names. Some of the stuff was silly."

Chile's U.N. ambassador, Heraldo Muñoz, the U.N. terrorism committee's chairman, said the new eight-member panel—called the Analytical Support and Sanctions Monitoring Team—would give "more teeth" to U.N. anti-terror efforts by strengthening the committee's expertise in finance and border controls, and improving its capacity to analyze terrorist trends.

"I would like a monitoring team that is efficient, that is independent and that can closely collaborate with the committee," Muñoz said.

Mr. GRAHAM of Florida. Thank you, Mr. President.

I yield the floor. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. I ask unanimous consent I be allowed to speak for up to 20 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

OUT-OF-CONTROL DEFICIT

Mr. GREGG. Mr. President, we are about to take up a new spending bill in the Senate involving transportation funding for the United States. This bill, which is an important bill, comes to the Senate in a fiscally unsound condition. That is regrettable. What is even more regrettable is that this is the continuation of an unfortunate line of legislation which has come to the Senate and which has been passed by the Senate and passed by the House. In some cases, not passed by the Senate but at least passed by the House, and has significantly expanded spending at the Federal level, which has in turn dramatically aggravated the national deficit. This is unfortunate.

To recap some of the bills, we had, for example, the agriculture authorization bill, which included basically a conversion to an entitlement scheme of most of the agricultural programs and dramatically increased spending in those accounts well above what we would have budgeted on the discretionary side.

That was followed, of course, by the most significant piece of spending legislation in my career in Government, the most significant piece of legislation from an entitlement standpoint since the Medicare bill was originally